

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

NETLIST, INC.,

Plaintiff,

v.

MICRON TECHNOLOGY, INC. *et al.*,

Defendants.

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Case No. 2:22-cv-00203-JRG-RSP


ORDER

Micron Semiconductor Products Inc, Micron Technology Texas LLC, and Micron Technology, Inc. (collectively, "Micron") previously filed a Motion to Stay Pending Resolution of *Inter Partes* Review of the Asserted Patents (Dkt. No. 80). Magistrate Judge Payne entered a Report and Recommendation (Dkt. No. 416), recommending denial of Micron's Motion to Stay. Micron has now filed Objections¹ (Dkt. No. 417), with Netlist, Inc. ("Netlist") filing a Response (Dkt. No. 450).

After conducting a *de novo* review of the briefing on the Motion to Stay, the Report and Recommendation, and the briefing on Micron's Objections, the Court agrees with the reasoning provided within the Report and Recommendation and concludes that the Objections fail to show that the Report and Recommendation was erroneous. Consequently, the Court **OVERRULES** Micron's Objections and **ADOPTS** the Report and Recommendation and orders that the Motion to Stay Pending Resolution of *Inter Partes* Review of the Asserted Patents (Dkt. No. 80) is **DENIED**.

¹ Micron also filed a petition for writ of mandamus with the Federal Circuit, which the Federal Circuit denied. *See* Dkt. Nos. 418, 419; *In re Micron*, No. 24-107 (Fed. Cir. January 12, 2024).

So ORDERED and SIGNED this 31st day of January, 2024.



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE